

Kitzhaber cleared in influence-peddling case

Intense political pressure forced him from office

By STEVEN DUBOIS
Associated Press

PORTLAND — Former Gov. John Kitzhaber insisted he broke no laws, and federal prosecutors backed him up Friday, announcing that no criminal charges will be filed against Kitzhaber or his live-in fiancée over allegations she used their relationship to win contracts for her consulting business.

Kitzhaber surrendered to political pressure in February 2015 and resigned over allegations that Hayes used their relationship to win contracts for her green-energy consulting business and failed to report the income on her taxes.

The U.S. Attorney's Office in Portland said in a brief statement that the criminal investigation that began more than two years ago is over and that no federal charges will be

sought. Oregon Attorney General Ellen Rosenblum previously announced the state would not bring charges.

"As I have said from the beginning, I did not resign because I was guilty of any wrongdoing but rather because the media frenzy around these questions kept me from being the effective leader I wanted and needed to be," Kitzhaber said in a statement. "Then there was the real investigation, not by reporters, but people with subpoena power and the ability to look at everything in context. They decided there was nothing to pursue."

A series of newspaper reports beginning 2014 chronicled Hayes' work for organizations with an interest in Oregon public policy. As she was being paid by advocacy groups, she played an active role in Kitzhaber's administration, a potential conflict of interest.

Media outlets dug further, learning that Hayes accepted about \$5,000 to illegally marry a man seeking immigration benefits in the 1990s. Hayes



Gov. John Kitzhaber, center, was joined by his fiancée, Cylvia Hayes, as he was sworn in for an unprecedented fourth term in 2015.

also confirmed a report that she bought land in a remote part of Washington state in 1997 to grow marijuana.

Despite the reports, Kitzhaber won re-election in November 2014 to an unprecedented fourth term as Oregon governor.

It turned into an unprecedented short term as the Hayes scandal dominated headlines for weeks. Secretary of State Kate Brown assumed Oregon's highest office after Kitzhaber

ended his four-decade political career in inglorious fashion and resigned just over a month into his fourth term.

Brown is still governor.

Kitzhaber met Hayes before the 2002 election, when he was governor and she was a candidate for the state Legislature. She lost her race, but they connected romantically after Kitzhaber's term ended.

After eight years out of office, Kitzhaber became governor again in 2011. Hayes

used the term "first lady," even though the couple never married.

The former emergency room doctor remained quiet for months after leaving office, but slowly emerged with public appearances, Facebook posts and an attempt to do consulting work in his area of expertise — health care.

A Facebook post from March, marking his 70th birthday, shows his view of the 21st Century media landscape has not softened.

"Fully two years before the 2016 election normalized this phenomenon, I got to be a pioneer (or maybe that was a guinea pig) in this brave new world of politics with emails, social media, click for cash tabloid 'journalism' and fake news," he wrote.

Hayes still has her consulting business. She also worked as a journalist and written a humorous book under a pen name. The book, "Surprising Reasons to Believe Donald Trump Will be a Great President," is 150 pages and 149 of them are blank.

In his statement Friday, Kitzhaber said he's "back."

"I intend to continue to do what I've been doing for most of my adult life: trying to help Oregon deal with the challenges we face in a way that moves us beyond the current division and polarization and brings us back together as a community."

Secretary of State Dennis Richardson said in a statement that the U.S. Attorney's Office decision "does not change the fact that the governor and Cylvia Hayes accepted money from those desiring to purchase influence."

Richardson, a Republican who lost to Kitzhaber in 2014, said it is unfortunate that a U.S. Supreme Court ruling last year overturning a public-corruption conviction against former Virginia Gov. Robert McDonnell and his wife "set the bar so high that it is now nearly impossible to bring federal charges in political corruption cases."

"It is clear that Oregon and the nation still have a long way to go to restore trust in government."

Law on offensive trademarks is unconstitutional

Court sides with The Slants

By SAM HANANEL
Associated Press

WASHINGTON — The Supreme Court today struck down part of a law that bans offensive trademarks in a ruling that is expected to help the Washington Redskins in their legal fight over the team name.

The justices ruled that the 71-year-old trademark law barring disparaging terms infringes free speech rights.

The ruling is a victory for the Asian-American rock band from Portland called The Slants, but the case was closely watched for the impact it would have on the separate dispute involving the Washington football team.

Slants founder Simon Tam tried to trademark the band name in 2011, but the U.S. Patent and Trademark Office denied the request on the ground that it dis-



Anthony Pidgeon/Redferns via AP

The Supreme Court has ruled in favor of The Slants, a Portland-based band, in a free speech and trademark case.

parages Asians. A federal appeals court in Washington later said the law barring offensive trademarks is unconstitutional.

The Redskins made similar arguments after the trademark office ruled in 2014 that the name offends American Indians and canceled

the team's trademark. A federal appeals court in Richmond put the team's case on hold while waiting for the Supreme Court to rule in The Slants case.

In his opinion for the court, Justice Samuel Alito rejected arguments that trademarks are government speech, not

private speech. Alito also said trademarks are not immune from First Amendment protection as part of a government program or subsidy.

Tam insisted he was not trying to be offensive, but wanted to transform a derisive term into a statement of pride. The Redskins also con-

tend their name honors American Indians, but the team has faced decades of legal challenges from Indian groups that say the name is racist.

Despite intense public pressure to change the name, Redskins owner Dan Snyder has refused, saying it "represents honor, respect and pride."

In The Slants case, government officials argued that the law did not infringe on free speech rights because the band was still free to use the name even without trademark protection. The same is true for the Redskins, but the team did not want to lose the legal protections that go along with a registered trademark. The protections include blocking the sale of counterfeit merchandise, and working to pursue a brand development strategy.

A federal appeals court had sided with The Slants in 2015, saying First Amendment protects "even hurtful speech that harms members of oft-stigmatized communities."

ON THE RECORD

Assault

• At 8:05 a.m. Friday, Steven Millner, 54, of Seaside, was arrested by the Seaside Police Department on the 1500 block of Lea Way for fourth-degree assault, menacing and harassment. He allegedly slapped and pushed a woman during a domestic dispute.

LOTTERIES

OREGON

Sunday's Pick 4:
1 p.m.: 9-3-3-7
4 p.m.: 5-9-2-7
7 p.m.: 1-8-0-4
10 p.m.: 0-5-6-7

Saturday's Megabucks: 14-20-22-27-28-42
Estimated jackpot: \$1.6 million

Saturday's Powerball: 10-13-32-53-62, Powerball: 21
Estimated jackpot: \$64 million

Saturday's Pick 4:
1 p.m.: 1-2-8-2
4 p.m.: 8-9-1-4
7 p.m.: 2-6-6-3
10 p.m.: 4-2-8-2

Friday's Pick 4:
1 p.m.: 0-0-4-4
4 p.m.: 2-0-8-3
7 p.m.: 9-2-1-0
10 p.m.: 1-7-3-6

Friday's Mega Millions: 18-22-26-30-44, Mega Ball: 9
Estimated jackpot: \$123 million

WASHINGTON

Sunday's Daily Game: 8-7-2
Sunday's Keno: 02-16-17-24-25-29-30-33-34-39-43-46-50-53-55-60-64-66-69-77
Sunday's Match 4: 01-02-04-12
Saturday's Daily Game: 4-8-8
Saturday's Hit 5: 02-13-28-31-38
Estimated jackpot: \$100,000

Saturday's Keno: 01-07-20-23-28-30-31-35-36-43-48-55-56-58-60-62-67-71-72-78
Saturday's Lotto: 09-10-16-18-21-46
Estimated jackpot: \$8.5 million

Saturday's Match 4: 01-02-04-16
Friday's Daily Game: 7-9-8
Friday's Keno: 03-13-15-16-17-24-27-29-50-51-52-53-54-56-63-64-66-68-72-73
Friday's Match 4: 07-11-20-24

FIVE-DAY FORECAST FOR ASTORIA AccuWeather.com

Tonight	Tuesday	Wednesday	Thursday	Friday
57 Partly cloudy	63 50 Low clouds followed by some sun	64 50 Areas of low clouds; breezy in the p.m.	64 51 Intervals of clouds and sunshine	70 53 Mostly sunny and pleasant

ALMANAC
Astoria through Sunday.

Temperatures
High/low 69°/55°
Normal high/low 64°/50°
Record high 81° in 1985
Record low 41° in 1991

Precipitation
Sunday 0.12"
Month to date 2.42"
Normal month to date 1.75"
Year to date 49.55"
Normal year to date 35.11"

SUN AND MOON

Sunset tonight 9:10 p.m.
Sunrise Tuesday 5:24 a.m.
Moonrise today 2:35 a.m.
Moonset today 3:52 p.m.

New First Full Last
June 23 June 30 July 8 July 16

REGIONAL WEATHER
Shown is tomorrow's weather. Temperatures are tonight's lows and tomorrow's highs.

City	Hi	Lo	W	City	Hi	Lo	W
Astoria	57	63		Portland	61	75	
Tillamook	56	66		The Dalles	68	84	
Newport	54	63		Prineville	55	66	
Lebanon	57	80		John Day	60	85	
Eugene	55	81		Baker	55	84	
Medford	65	82		John Day	60	85	
Bend	56	82		Burns	55	89	
Coos Bay	58	68		La Grande	61	83	
Roseburg	59	83		Baker	55	84	
Medford	62	90		Ontario	63	96	
Brookings	57	74		Burns	55	89	
Asland	62	88		Lakeview	56	92	

UNDER THE SKY
Tonight's Sky: Before sunrise, Venus will be near the waning crescent moon above the eastern horizon.

Source: Jim Todd, OMS

TOMORROW'S TIDES

Astoria / Port Docks	Time	High	Low
11:07 a.m.	6.7 ft.	5:02 a.m.	0.4 ft.
10:57 p.m.	9.1 ft.	4:43 p.m.	1.7 ft.

REGIONAL CITIES

City	Today	Tues.	City	Today	Tues.
Baker City	89 55 s	84 45 s	Olympia	80 56 pc	73 45 c
Bend	91 56 s	82 48 s	Pendleton	93 65 s	86 53 s
Brookings	70 57 s	70 57 s	Portland	85 61 s	75 51 pc
Eugene	85 55 s	81 48 pc	Roseburg	87 59 s	83 55 pc
Ilwaco	65 56 pc	61 53 pc	Salem	87 59 s	79 50 c
Klamath Falls	95 54 s	89 51 s	Seaside	67 56 pc	62 52 pc
Medford	95 62 s	90 62 s	Spokane	86 63 s	83 51 s
Newport	87 59 s	76 49 pc	Springfield	86 56 s	80 48 pc
Newberg	63 54 s	63 49 pc	Vancouver	85 60 s	74 49 pc
North Bend	66 58 s	68 53 pc	Yakima	95 63 s	89 51 s

TOMORROW'S NATIONAL WEATHER
Shown are noon positions of weather systems and precipitation. Temperature bands are highs for the day.

DEATHS

June 18, 2017
GILLUM, Paul R., 67, of Astoria, died in Astoria. Caldwell's Luce-Layton Mortuary of Astoria is in charge of the arrangements.

June 16, 2017
HEIRONIMUS, Howard, 75, of Clatskanie, died in Longview, Washington. Caldwell's Luce-Layton Mortuary of Astoria is in charge of the arrangements.

PUBLIC MEETINGS

MONDAY
Jewell School Board, 6 p.m., Jewell School library, 83874 Oregon Highway 103.
Astoria City Council, 7 p.m., City Hall, 1095 Duane St.

TUESDAY
Cannon Beach Public Works Committee, 9 a.m., City Hall, 163 E. Gower St.
Sunset Empire Parks and Rec District, 4 p.m., 1225 Ave. A, Seaside.
Clatsop County Human Services Advisory Council, 4 to 5:30 p.m., 800 Exchange St., Room 430.
Seaside School District, 6 p.m., 1810 S. Franklin, Seaside.
Port of Astoria Commission, 6 p.m., budget hearing, regular meeting following, 10 Pier 1, Suite 209.
Shoreline Sanitary District Board, 7 p.m., Gearhart Heritage Station, 33496 West Lake Lane, Warrenton.
Seaside Planning Commission, 7 p.m., 989 Broadway.

OBITUARY POLICY

The Daily Astorian publishes paid obituaries. The obituary can include a small photo and, for veterans, a flag symbol at no charge. The deadline for all obituaries is 9 a.m. the business day prior.

Obituaries may be edited for spelling, proper punctuation and style. Death notices and upcoming services will be published at no charge. Notices must be submitted by 9 a.m. the day of publication.

Obituaries and notices may be submitted online at www.dailyastorian.com/forms/obits, by email at ewilson@dailyastorian.com, placed via the funeral home or in person at The Daily Astorian office, 949 Exchange St. in Astoria. For more information, call 503-325-3211, ext. 257.

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